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In re Application of   :   **OFFICE OF PETITIONS**
Chang et al   :
Application No. 09/661,725   :   DECISION ON PETITION
Filed: September 14, 2000   :
Attorney Docket No. PD-200101   :

This is a decision on the petition, filed July 22, 2004 (and resubmitted on November 16, 2005), which is being treated as a petition under 37 CFR 1.181 (no fee), requesting withdrawal of the holding of abandonment in the above-identified application.

The petition is **GRANTED**.

This application was held abandoned for failure to timely respond to the Office action of October 2, 2003, which set a three (3) month shortened statutory period for reply. A reply was due on or before January 2, 2004.

Petitioner states that a reply was in fact timely filed. To support this assertion, petitioner has submitted a copy of a return postcard which acknowledges receipt by the U.S. Patent and Trademark Office (USPTO) on December 22, 2003 of, *inter alia,* a response to an office action and supplemental information disclosure statement. A copy of the previously submitted reply accompanies the petition.

A thorough review discovered that the response acknowledged as having been received in the USPTO on December 22, 2003 has been located in the application file, but was not made of record. Accordingly, the response to the Office Action mailed October 2, 2003 was timely received in the USPTO.

In view of the above, the holding of abandonment is hereby withdrawn and the application restored to pending status.

This application is being referred to Technology Center AU 2683 for appropriate action in the normal course of business on the reply filed on December 22, 2003.

Frances Hicks
Lead Petitions Examiner
Office of Petitions